

PRYOR CASHMAN LLP  
 Ilene S. Farkas (*pro hac vice*)  
*ifarkas@pryorcashman.com*  
 M. Mona Simonian (*pro hac vice*)  
*msimonian@pryorcashman.com*  
 Marion R. Harris (*pro hac vice*)  
*mharris@pryorcashman.com*  
 Brian M. Maida (*pro hac vice*)  
*bmaida@pryorcashman.com*  
 7 Times Square  
 New York, New York 10036  
 Phone: (212) 421-4100  
 Fax: (212) 326-0806

BRAUNHAGEY & BORDEN LLP  
 Adam S. Cashman (State Bar No. 255063)  
*cashman@braunhagey.com*  
 747 Front Street, 4th Floor  
 San Francisco, California 94111  
 Phone: (415) 599-0210  
 Fax: (415) 599-0210

*Attorneys for Plaintiff Epidemic Sound, AB*

LATHAM & WATKINS LLP  
 Joseph R. Wetzel (SBN 238008)  
 Brittany N. Lovejoy (SBN 286813)  
 505 Montgomery Street, Suite 2000  
 San Francisco, California 94111-6538  
 Telephone: 415.391.0600  
 Email: *Joe.Wetzel@lw.com*  
*Brittany.Lovejoy@lw.com*  
*Ivana.Dukanovic@lw.com*  
*Peter.Calello@lw.com*

LATHAM & WATKINS LLP  
 Allison L. Stillman (*pro hac vice*)  
 1271 Avenue of the Americas  
 New York, New York 10020  
 Telephone: 212.906.1747  
 Email: *Alli.Stillman@lw.com*

LATHAM & WATKINS LLP  
 Sarang V. Damle (*pro hac vice*)  
 Brent T.F. Murphy (*pro hac vice*)  
 555 Eleventh Street, NW, Suite 1000  
 Washington, D.C. 20004  
 Telephone: 202.637.2200  
 Email: *Sy.Damle@lw.com*  
*Brent.Murphy@lw.com*

*Attorneys for Defendant Meta Platforms, Inc.*

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

EPIDEMIC SOUND, AB,  
 Plaintiff,

vs.

META PLATFORMS, INC., f/k/a FACEBOOK,  
 INC.,  
 Defendant.

CASE NO. 3:22-cv-04223-JSC

**STIPULATION AND [PROPOSED]  
 ORDER AMENDING CASE SCHEDULE**

The Honorable Jacqueline Scott Corley

Pursuant to Civil Local Rules 6-1(b) and 6-2, IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff Epidemic Sound, AB (“Plaintiff”) and Defendant Meta Platforms, Inc. f/k/a Facebook, Inc. (“Defendant”), by and through their respective counsel of Record (together, the “Parties”), as follows:

1. WHEREAS, on January 28, 2025, the Court set the Trial Date for January 21, 2026, and instructed the Parties to meet and confer and propose amendments to the case schedule setting the remaining deadlines in the case;

2. WHEREAS, on January 28, 2025, the Court granted the Parties’ stipulation regarding the amended case schedule (Dkt. No. 225);

3. WHEREAS, on April 1, 2025, the Court granted the Parties’ stipulation extending the fact deposition deadline to allow certain depositions to be conducted (Dkt. No. 265);

4. WHEREAS, on May 13, 2025, the Court granted the Parties’ stipulation regarding the amended case schedule (Dkt. No. 273);

5. WHEREAS, on August 4, 2025, the Court granted the Parties’ stipulation extending the expert discovery cut-off (Dkt. No. 283);

6. WHEREAS, on August 28, 2025, the Court vacated the Trial Date for this case, pending the Supreme Court decision in *Cox Communications, Inc. v. Sony Music Entertainment* (Dkt. No. 311);

7. WHEREAS, on September 9, 2025, the Court granted the Parties’ stipulation regarding the amended case schedule (Dkt. 316);

8. WHEREAS, on October 3, 2025, the Court granted the Parties’ stipulation adjourning the briefing schedule and hearing date on Epidemic’s Motion for Leave to Reopen Fact Discovery (Dkt. No. 322);

9. WHEREAS, on October 7, 2025 the Court granted the Parties’ stipulation regarding the amended case schedule; and

10. WHEREAS, pursuant to Civil L.R. 6-2(a)(2), there have been 24 other time modifications in this case: (1) an extension for time for Defendant to respond to the Complaint (Dkt. No. 27), (2) an extension to the Parties’ briefing schedule on Defendant’s motion to dismiss

1 (Dkt. No. 34); (3) a 60-day continuance of the fact discovery cut-off (Dkt. No. 101 at 3); (4) an  
 2 order temporarily vacating upcoming deadlines until the Court enters an amended case schedule  
 3 (Dkt. No. 117); (5) an extension of time for Plaintiff to file its reply in support of its motion to  
 4 strike (Dkt. No. 132); (6) an order resetting the case schedule (Dkt. No. 151); (7) an extension of  
 5 time for Defendant to produce its music partners' license agreements until August 30, 2024 (Dkt.  
 6 No. 159); (8) a continuance of a Case Management Conference (Dkt. No. 160); (9) an order  
 7 resetting a Case Management Conference from October 3, 2024 to October 17, 2024 (Dkt. No.  
 8 165); (10) a further extension of time for Defendant to produce its music partners' license  
 9 agreements until September 30, 2024 (Dkt. No. 169); (11) a further extension of time for Defendant  
 10 to produce its music partners' license agreements until October 18, 2024 (Dkt. No. 172); (12) a 1-  
 11 day advancement of a Case Management Conference (Dkt. No. 175); (13) an order amending the  
 12 case schedule (Dkt. No. 181); (14) a further extension of time for Defendant to produce its music  
 13 partners' license agreements until November 17, 2024 (Dkt. No. 184 at 8:17-9:12); (15) a 7-day  
 14 continuance of a Case Management Conference from December 12, 2024 to December 19, 2024  
 15 (Dkt. No. 185); (16) a further extension of time for Defendant to produce its music partners' license  
 16 agreements until November 22, 2024 and for the Parties to exchange and confer regarding privilege  
 17 logs (Dkt. No. 187); (17) a continuance on the hearing of Plaintiff's Motion to Compel the  
 18 Production of an Export of its Rights Manager Account and for Reconsideration of the Court's  
 19 October 10, 2024 Order from December 26, 2024 to January 9, 2025 (Dkt. No. 190); (18) a further  
 20 extension of time for Defendant to produce its music partners' license agreements until February  
 21 12, 2025 (Dkt. No. 199); (20) a continuance of a Case Management Conference from December  
 22 19, 2024 to January 28, 2025 (Dkt. Nos. 205, 206); (21) an advancement of the hearing on  
 23 Plaintiff's Motion to Compel the Production of an Export of its Rights Manager Account and for  
 24 Reconsideration of the Court's October 10, 2024 Order and Plaintiff's Motion for Leave to File  
 25 Motion for Reconsideration and to Compel Production from January 30, 2025 to January 28, 2025  
 26 (*id.*); (22) a further extension of time for Defendant to produce its music partners' license  
 27 agreements until March 25, 2025 (Dkt. No. 230); (23) a further extension of time for Defendant to  
 28 produce its music partners' license agreements until April 24, 2025 (Dkt. No. 259); and (24) a

further extension of time for Defendant to produce its music partners' license agreements until May 28, 2025 (Dkt. 274).

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff and Defendant, through their undersigned counsel of record, and subject to the approval of the Court, that the current deadlines in the case schedule shall be amended to the Amended Deadlines as follows:

Motion/Hearing	Current Deadline	Amended Deadline
Epidemic's Reply ISO Motion To Strike Second Supplemental Fink Report	November 26, 2025	December 3, 2025
Epidemic's Opposition to Meta's <i>Daubert</i> Motions to Exclude Expert Testimony of Sharp and Geluso	December 3, 2025	December 12, 2025
Meta's Opposition to Mot. for Sanctions	December 3, 2025	December 12, 2025
Oppositions to Dispositive Motions	December 19, 2025	December 19, 2025
Meta's Replies ISO <i>Daubert</i> Motions to Exclude Expert Testimony of Sharp and Geluso	December 10, 2025	January 15, 2026
Epidemic's Reply ISO Motion for Sanctions	December 10, 2025	January 15, 2026
Replies to Dispositive Motions	January 22, 2026	January 26, 2026
Responses to All Admin. Sealing Motions Filed in Connection with Dispositive, <i>Daubert</i> , and Sanctions Motions and Oppositions	7 days after filing	February 2, 2026
Responses to All Admin. Sealing Motions Filed in Connection with Replies ISO Dispositive, <i>Daubert</i> , and Sanctions Motions	7 days after filing	February 9, 2026

Motion/Hearing	Current Deadline	Amended Deadline
Hearing on Motion To Strike Second Supplemental Fink Report*	December 11, 2025	<b>Meta Proposal:</b> February 5, 2026
Hearing on Motion for Sanctions*	January 8, 2026	<b>Epidemic Proposal:</b> February 26, 2026
Hearing on Meta's <i>Daubert</i> Motions to Exclude Expert Testimony of Sharp and Geluso*	January 15, 2026	
Hearing on Dispositive Motions	February 26, 2026	February 26, 2026

\*If necessary, with parties reserving all positions.

The Parties have been unable to reach an agreement about the hearing dates for Plaintiff's Motions to Strike the Second Supplemental Fink Report and for Sanctions and Defendant's Motions to Exclude Expert Testimony of Paul Geluso and Bradley T. Sharp. The Parties' respective proposals are reflected in the chart above. It is Plaintiff's position that the Hearings on the Motion for Sanctions and Meta's *Daubert* Motion to Exclude Prof. Geluso, at the very least, should be combined with the Hearing on the parties' Summary Judgment Motions, as many of the issues and arguments presented on those motions overlap with the issues and arguments presented on summary judgment. Defendant disagrees, and its position is that staged hearings on non-dispositive and dispositive motions will allow the Court and the parties to divide their time most efficiently, and that a combined hearing is unnecessary as each motion stands on its own (especially in light of the fact that all non-dispositive motions were originally noticed for hearing dates well in advance of the dispositive motions hearing date). The Parties defer to the Court's preference on whether to consider the motions in separate hearings or all together on February 26.

**IT IS SO STIPULATED.**

1 Respectfully submitted,

2 Dated: November 25, 2025

**PRYOR CASHMAN LLP**

3 /s/ M. Mona Simonian

4 Ilene S. Farkas

M. Mona Simonian

5 Marion R. Harris

6 Brian M. Maida

7 *Attorneys for Plaintiff Epidemic Sound, AB*

8 Dated: November 25, 2025

**LATHAM & WATKINS LLP**

9 /s/ Joseph R. Wetzel

10 Joseph R. Wetzel

Allison L. Stillman

11 Brittany N. Lovejoy

Sarang V. Damle

12 Brent T.F. Murphy

13 *Attorneys for Defendant Meta Platforms, Inc.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**[PROPOSED] ORDER**

**PURSUANT TO STIPULATED DATES, IT IS SO ORDERED.**

As to the disputed dates, the hearings are hereby scheduled as follows:

Hearing	Date
Hearing on Motion to Strike Second Supplemental Fink Report	
Hearing on Motion for Sanctions	
Hearing on Meta’s <i>Daubert</i> Motions to Exclude Expert Testimony of Sharp and Geluso	

**SO ORDERED.**

Dated: \_\_\_\_\_, 2025

\_\_\_\_\_  
HON. JACQUELINE SCOTT CORLEY  
U.S. District Court Judge

**ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I attest that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

Dated: November 25, 2025

/s/ Joseph R. Wetzel  
Joseph R. Wetzel